

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/608,051	GLASS, KEVIN W.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Linh M. Nguyen	2816	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 06/18/2004.
2. ☒ The allowed claim(s) is/are 1,2,4-17 and 21-29.
3. ☒ The drawings filed on 27 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>08/03/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____  |

### **DETAILED ACTION**

This is a reply to the Applicant's amendment submitted on 06/18/2004. According to this amendment, claims 3 and 18-20 are canceled; thus claims 1-2, 4-17 and 21-29 are currently presented in the instant application.

#### ***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it must be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the Applicant's representative, Dana LeMoine, on 08/03/2004.

The Examiner's Amendment includes:

Claim 1, line 6, (after "a third sequential element") insert --coupled to the output node of the first sequential element--.

#### ***Allowable Subject Matter***

2. Claims 1-2, 4-17 and 21-29 are allowed.

#### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

The closest prior art fails to disclose or fairly suggest:

- A frequency prescaler including a third sequential element coupled to the output node of the first sequential element and the at least one logic gate is coupled to receive a signal from

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the output node of the first sequential element and is coupled to receive a signal from the third sequential element, as called for in claim 1; or

- A frequency prescaler including a third sequential element having an output node coupled to an input node of the at least one logic gate of the first sequential element, and configured to decode a state of the asynchronous counter, as called for in claim 8; or

- An even/odd modulus prescaler including a first true single phase clock flip-flop having an input stage with an embedded logic gate to decode a state of the asynchronous counter, configured to modify a modulus of the asynchronous counter between an even modulus and an odd modulus, in combination with the remaining claimed limitations, as called for in claim 12; or

- A frequency synthesizer, in which the at least one true single phase clock flip-flop further includes a decoder flip-flop to decode a state of the least significant flip-flop and the more significant flip-flop, as called for in claim 17; or

- An electronic system that includes a prescaler, which includes an asynchronous divider with at least one true single phase clock flip-flop having embedded logic in an input stage to decode a state of the asynchronous divider and to modify a modulus of the asynchronous divider between an even modulus and an odd modulus, as called for in claim 23; or

- A method including decoding a state of the first and second sequential elements; and conditionally gating an input signal to the first sequential element using a logic gate embedded in an input stage of the true single phase clock flip-flop, as called for in claim 26.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh M. Nguyen whose telephone number is (571) 272-1749. The examiner can normally be reached on Alternate Mon, Tuesday - Friday from 7:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMN

A handwritten signature in black ink, appearing to read 'Linh My Nguyen', with a long horizontal flourish extending to the right.

**LINH MY NGUYEN  
PRIMARY EXAMINER**